

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ANA LAURA BONVECCHI, et al.,
Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,
Defendant.

15 Civ. 01718 (TPG)

**MOVING PLAINTIFFS' REPLY MEMORANDUM
IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT**

The Moving Plaintiffs submit this reply memorandum in support of their motion, dated October 21, 2015, for partial summary judgment for a ruling that the defendant Republic of Argentina (the "Republic") has violated and continues to violate the *pari passu* clause of the 1994 Fiscal Agency Agreement, which governs the Moving Plaintiffs' bonds.

This Court has entered the same relief as requested by the Moving Plaintiffs in the present motion, in response to prior motions by other plaintiffs who also hold bonds issued under the 1994 Fiscal Agency Agreement. *See* Opinion and Order dated June 5, 2015, in *NML Capital, Ltd. v. The Republic of Argentina*, 14 Civ. 8601, and 36 other actions (the "June 5 Order"). The Moving Plaintiffs did not join the prior motions because their legal representation was in flux, but are now proceeding on a parallel track to the prior motions.

The Republic contends that the Moving Plaintiffs should be required to submit recent account statements to provide proof of their current ownership of their bonds. However, the Court has not required such evidence when the plaintiff bondholders seeking relief under the *pari passu* provision are judgment holders. *See* June 5 Order at pp. 21-23 (requiring such evidence

for Pre-Judgment Plaintiffs but not plaintiffs who had obtained judgments). The orders cited by the Republic concerned motions seeking entry of money judgments or motions for equitable relief in favor of bondholder plaintiffs whose claims had not yet been reduced to money judgments.

The Moving Plaintiffs here have all obtained money judgments, as shown in our opening papers, so a requirement to submit evidence of current ownership should not apply to them.

The Republic noted three errors in the ISINs listed in the chart submitted with the present motion (Exhibit 49 of the Declaration of Michael C. Spencer). Those errors have been corrected in the revised chart attached to the Reply Declaration of Michael C. Spencer, submitted herewith. We apologize for the prior errors.

The Republic's other arguments have been previously rejected by this Court, and are only submitted to preserve issues for possible appeal.

The Moving Plaintiffs respectfully request entry of an order granting the requested relief, parallel to the June 5 Order.

Dated: New York, New York
November 17, 2015

Respectfully submitted,

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